

# MONTPELIER POLICE DEPARTMENT

<b>SCHOOL CAMPUSES AND RELATED CALLS FOR SERVICE</b>	Related Policies: Use of Force, Body Worn Cameras, Security Assessments, Active Shooter
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Vermont Statutes:	
CALEA Standard:	
Date Implemented: September 28, 2022	Review Date: September 23, 2023

- I. **Purpose:** It is the purpose of this policy to establish procedural guidelines relating to law enforcement engagement with Montpelier Roxbury Public Schools (MRPS) students and staff. The goal of the Montpelier Police Department (MPD) is to provide a safe environment for all schools within its jurisdiction by developing and strengthening relationships by providing the following services: threat and security assessments, safety planning, and recommendations, investigations, and generalized law enforcement response as appropriate.
- II. **Policy:** It is the policy of MPD to facilitate positive relationships with school officials, students, and parents. While there is no School Resource Officer (SRO) to serve as a primary point of contact for students, staff, and parents within MRPS, MPD can offer safety planning, training, safety assessments, criminal investigations, and other related law enforcement activities on MRPS properties in conformance with accepted legal practices and in recognition of the authority and responsibility of school officials to manage the school environment. It is not the policy of MPD to enforce administrative rules on behalf of school officials.
- III. **Definitions:**
  - A. **Behavioral Threat Assessment:** Proactive targeted violence prevention effort, to include identifying students of concern; assessing their risk for engaging in or being subjected to violence or other harmful activities; and identifying intervention strategies to manage that risk.<sup>1</sup>
  - B. **Crime Prevention Through Environmental Design (CPTED) Principles:** CPTED involves collaboration with law enforcement officers, architects, city planners,

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<sup>1</sup> For additional information, see the National Behavioral Intervention Team Association (NaBITA) document *Who's on the Team? Mission, Membership, and Motivation*, <https://nabita.org/wordpress/wp-content/uploads/2015/07/2015-NaBITA-Whitepaper.pdf>.

landscape and interior designers, and resident volunteers to create a safer physical environment in which a community can operate. The goal of CPTED is to reduce crime by designing an environment that promotes positive human behavior. The National Crime Prevention Council implements CPTED principles through training tailored to a specific community's needs.<sup>2</sup>

- C. Duty to Report:** The responsibility and obligation of a member to report what they objectionably believes to be wrongdoing rather than to provide such information only when requested.
- D. School Resource Officer:** A career law enforcement officer with sworn authority who is deployed by an employing law enforcement agency or school district in a community-oriented policing assignment to work in collaboration with one or more schools and function as a school-based law enforcement officer.
- E. School Safety Team:** A multidisciplinary team intended to conduct an audit to review safety conditions, which may include behavioral threats and institutional security.<sup>3</sup> This team may also be referred to as a school safety audit committee and may include officials from the following recommended groups: Law Enforcement, Fire Departments, School Administration, and Local Community Services.
- F. School to Prison Pipeline:** The school to prison pipeline is the name given to a national trend where juveniles are unnecessarily funneled out of school systems and into the criminal justice systems. Often attributed to the integration of sworn law enforcement officers in schools, this pipeline focuses solely on punishment, discipline, and criminalization of student behavior rather than providing the appropriate educational and counseling services that some vulnerable populations of children may need.<sup>4</sup>
- G. Tactical and Emergency Response Plans:** Safety and tactical evacuation plans designed to prepare law enforcement, firefighters, emergency medical personnel, and school staff for violent and hazardous events at or near a school. These plans may be used for active shooter, aggressive behaviors, bomb threats, hazardous threats, and fires.
- H. National Incident Management System (NIMS):** NIMS guides all levels of government, nongovernmental organizations (NGOs), and the private sector to work together to prevent, protect against, mitigate, respond to, and recover from incidents. NIMS provides stakeholders across the whole community with the shared vocabulary, systems, and processes to successfully deliver the capabilities described in the National Preparedness System. NIMS defines operational systems, including the Incident Command System (ICS), Emergency Operations Center (EOC) structures,

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<sup>2</sup> National Crime Prevention Council, "Crime Prevention through Environmental Design Training," <https://www.ncpc.org/resources/home-neighborhood-safety/crimeprevention-through-environmental-design-training-program>

<sup>3</sup> U.S. Department of Homeland Security, U.S. Secret Service, Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence (2018), [https://www.secretservice.gov/data/protection/ntac/USSS\\_NTAC\\_Enhancing\\_School\\_Safety\\_Guide\\_7.11.18.pdf](https://www.secretservice.gov/data/protection/ntac/USSS_NTAC_Enhancing_School_Safety_Guide_7.11.18.pdf).

<sup>4</sup> American Civil Liberties Union, "School-to-Prison Pipeline," <https://www.aclu.org/issues/juvenile-justice/school-prison-pipeline>

and Multiagency Coordination Groups (MAC Groups) that guide how personnel work together during incidents. NIMS applies to all incidents.

#### **IV. Procedures**

##### **A. Interagency Agreements/Memorandums of Understanding (MOUs)**

The first step in instituting a school-police partnership is the creation of an interagency agreement. Currently, there are no MOUs in place with MRPS.

Any future agreements should outline the following:

1. How SROs will be utilized and what specific services are expected/provided.
2. Scope of law enforcement actions, such as
  - a. School searches, to include the use of specially trained canines
  - b. Investigations, to include interviews and interrogations
  - c. Arrests on school property or at school events.
3. Creation of and establishment of the roles and responsibilities of a school safety team.
4. Response to critical incidents or emergencies, for example tactical and emergency response plans.
5. Limitations of the SRO's role. For example, SROs should not be involved in student discipline. Outsourcing school disciplinary functions to law enforcement exposes juveniles unnecessarily to the criminal justice system, resulting in harsher punishments and an increased likelihood to be exposed to the system again. It has also been frequently cited that this "school-to-prison" pipeline disproportionately effects African American students.<sup>5</sup>
6. Reporting procedures to be followed by all stakeholders to ensure consistent and accurate documentation.
7. Procedures for conflict resolution and Community Justice Center referrals.
8. Financial agreements.
9. The duration, modification and revision, and termination of the MOU.
10. Legal contingencies.
11. Arrangements for the use of equipment and facilities.
12. Communications plan to include notification procedures, equipment (radio/phone), and contact information.

##### **B. School Resource Officers (SROs)**

If the decision is made to utilize SROs, MPD and MRPS should consider the following:

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<sup>5</sup> For more information about the "school-to-prison" pipeline, see Libby Nelson and Dara Lind, "The School to Prison Pipeline Explained," Criminal Justice News, Justice Policy Institute, February 24, 2015, <http://www.justicepolicy.org/news/8775>.

1. SRO duties, which may include but not be limited to:
  - a. School safety planning
  - b. Informal counseling
  - c. Behavioral threat assessments
  - d. Conducting investigations
  - e. Enforcing jurisdictional laws
  - f. Being involved in school and community extracurricular activities
  - g. Serving as an emergency first responder
  - h. Providing age-appropriate law-related instruction
2. SRO selection criteria, to include:
  - a. Motivation for accepting assignment
  - b. Demonstrated interest in youth, such as participation in youth-focused activities (e.g., coaching, volunteering)
  - c. Age
  - d. Educational background
  - e. Required experience, such as a specific number of years of service
  - f. Commendations and/or disciplinary record
  - g. Physical ability to perform job functions - this may exclude officers who are on modified or light duty
  - h. Interpersonal communication skills
  - i. Capability to work with limited oversight
  - j. Problem-solving and analytical skills, effective discretionary decision-making
  - k. Knowledge of:
    - i. Applicable laws and statutes, to include those related to schools, juveniles, and applicable education codes/acts
    - ii. Relevant search and seizures laws
    - iii. Community policing principles
3. SRO training, including:
  - a. Positive behavioral intervention techniques and support practices. This may be accomplished using situational and/or simulated training.
  - b. Mental health awareness.
  - c. Tactical emergency response.
  - d. Cognitive development.
  - e. Critical incident procedures.

### **C. Safe Environment**

As part of the partnership, MPD and MRPS should strive to provide a safe environment for students. This can be accomplished through:

1. Developing relationships, such as those between:
  - a. SROs and students
  - b. MPD, MRPS, and the parents.
2. Conducting a security assessment on the management and design of a community and school based on Crime Prevention Through Environmental Design (CPTED) principles.<sup>6</sup>
3. Developing tactical and emergency response plans in collaboration with appropriate stakeholders. Consider utilizing the Federal Emergency Management Agency's (FEMA) National Incident Management System (NIMS) as a primary source for uniform development of these plans.<sup>7</sup>
4. Assessing and offering recommendations regarding school safety policies.
5. Providing an anonymous tip or text line for reporting criminal activity or threats.
6. Establishing or adopting an existing suicide and bullying prevention hotline. Where feasible, this should be accomplished in partnership with school mental health professionals.
7. Creating a listing of available resources for referral purposes.

### **D. Behavioral Assessments**

If MPD conducts behavioral assessments, considerations and guidelines should be drafted indicating:

1. Involved personnel, such as members of a behavioral assessment team.
2. Necessary training, to include training related to mental health and students with special needs.
3. Resource referrals and services available.
4. Policies and procedures regarding at-risk individuals.

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<sup>6</sup> For more information about CPTED, see National Crime Prevention Council, Crime Prevention Through Environmental Design Guidebook (Singapore, 2003), [https://rems.ed.gov/docs/Mobile\\_docs/CPTED-Guidebook.pdf](https://rems.ed.gov/docs/Mobile_docs/CPTED-Guidebook.pdf).

<sup>7</sup> For more information on NIMS, see FEMA's "NIMS Doctrine Supporting Guides & Tools," <https://www.fema.gov/nims-doctrine-supportingguides-tools#>.

## **E. Enforcement Actions**

As part of the interagency agreement, law enforcement agencies and school districts should address the situations where SROs or other officers are required to take enforcement actions. This may include procedures related to:

1. Contacting:
  - a. Students
  - b. The SRO and/or school administrator
  - c. Parents or legal guardians
2. Conducting investigations, to include:
  - a. Searching persons and/or property-specific search protocols may include those related to:
    - i. Searches of a student by a teacher or other school official
    - ii. Searches of a student's effects
    - iii. Strip searches<sup>8</sup>
    - iv. Scope of search
  - b. Interviewing and/or interrogating students
  - c. Using specially trained canines
3. Responding to crimes committed:
  - a. On school property
  - b. Off school property involving a student
4. Arresting or removing students from school property
5. Using force, and
6. Acting as an emergency first responder

## **F. Training**

In the event the SRO program is re-initiated, and/or MRPS should request training and assistance from MPD, MPD shall establish types and frequency of training necessary to sustain the school-police partnership.

1. Training shall be developed and provided to the following groups:
  - a. SROs
  - b. School staff
  - c. Students
  - d. Additional stakeholders
2. Trainings should focus on safety protocols, such as those related to any emergency or hazard situation, applicable legislation and legal updates, interacting with children and

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<sup>8</sup> See *Safford Unified School Dist. #1 v. Redding*, 531 F. 3d 1071 (9th Cir. 2008). and its related U.S. Supreme Court case *Safford Unified School Dist. #1 v. Redding*, 557 U.S. 364 (2009).

juveniles, and tactical and all hazards emergency response plans including information regarding the National Incident Management System (NIMS).

## **G. Specific Protocols with MRPS**

These guidelines are based in part on MRPS policies and School Board discussions and findings as it relates to expectations of MPD.<sup>9</sup>

1. MPD will only prioritize a response in instances where there is a clear and present matter of safety involving the student, MRPS staff member, and/or safety to the public.
2. MRPS officials may request MPD assistance for traffic control.
3. MPD shall not become involved in matters related to rule violations committed by students, staff, parents or visitors.
4. It is MRPS' policy to notify MPD in the event a student has left school grounds. In such cases MPD should avoid becoming involved in any non-criminal related matters, and shall not use force to compel any student to comply only with MRPS rules. MPD officers shall adhere to the Department's procedures regarding Use of Force as well as the statewide Use of Force policy.
5. In the event MPD staff becomes aware of the location of a student that has been reported by MRPS to have left school grounds, MPD shall immediately contact MRPS officials and inform them of the location of the student.
6. MPD should limit its official presence on MRPS campuses to requests by MRPS officials for patrols, training, and presence, and/or emergency-related calls for service. This does not prohibit officers from being on campuses in their capacity as parents (e.g., dropping off or picking up their children, family members working on MRPS campuses, etc.).

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<sup>9</sup> MRPS Elopement Plan – UES and MSMS – 8/29/22 and <https://www.mrpsvt.org/school-safety-and-police-relations-committee>